Office Action Summary	Application No.	Applicant(s)	
	10/645,039	MCARDLE, JAMES MICHAEL	
	Examiner	Art Unit	
	FARHAN M. SYED	2165	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *09 July 2008*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,2,7,8,11,12,16 and 19* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,2,7,8,11,12,16 and 19* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☒ Interview Summary (PTO-413) Paper No(s)/Mail Date. *Attached herein* .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-2, 7-8, 11-12, 16, and 19 are pending. The Examiner acknowledges the cancellation of claims 3-6, 9-10, 13-15, 17-18, and 20 and amendments made to claims 1, 2, 7, 8, 11, 12, 16, and 19.

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 09 July 2008 has been entered.

Response to Remarks/Argument

3. Applicant's arguments, see page 6, filed supra, with respect to claim 16 have been fully considered and are persuasive. The 35 U.S.C. 101 rejection of a Final Office action, mailed 21 April 2008, has been withdrawn.

4. Applicant's arguments with respect to claims 1-2, 7-8, 11-12, 16 and 19 have been considered but are moot in view of the new ground(s) of rejection.

Claim Objections

5. Claim 16 is objected to because of the following informalities:

Claim 16 recites the limitation "the computer program product" in line 3. There is insufficient antecedent basis for this limitation in the claim. Appropriate correction is required.

Claim Rejections - 35 USC § 101

6. 35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 11 and 12 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Claims 11 and 12 recite the term "means." Based on the original disclosure, see at least page 14, that recites *"from executing the query, presented by the user, resulting data is returned by database engine to reporting or query tool.,"* the term "tools" and "engines" appear to perform the recited function of "means," therefore it appears to be software, per se.

The claims lack the necessary physical articles or objects to constitute a machine or a manufacture within the meaning of 35 USC 101. They are clearly not a series of steps or acts to be a process nor are they a combination of chemical compounds to be a composition of matter. As such, they fail to fall within a statutory category. They are, at best, functional descriptive material *per se*.

Descriptive material can be characterized as either “functional descriptive material” or “nonfunctional descriptive material.” Both types of “descriptive material” are nonstatutory when claimed as descriptive material *per se*, 33 F.3d at 1360, 31 USPQ2d

at 1759. When functional descriptive material is recorded on some computer-readable medium, it becomes structurally and functionally interrelated to the medium and will be statutory in most cases since use of technology permits the function of the descriptive material to be realized. Compare *In re Lowry*, 32 F.3d 1579, 1583-84, 32 USPQ2d 1031, 1035 (Fed. Cir. 1994)

Merely claiming nonfunctional descriptive material, i.e., abstract ideas, stored on a computer-readable medium, in a computer, or on an electromagnetic carrier signal, does not make it statutory. See *Diehr*, 450 U.S. at 185-86, 209 USPQ at 8 (noting that the claims for an algorithm in *Benson* were unpatentable as abstract ideas because "[t]he sole practical application of the algorithm was in connection with the programming of a general purpose computer.").

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

8. Claims 1-2, 7-8, 11-12, 16, and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Google Language Tool (known hereinafter as Google)(previously presented) in view of Drissi et al (U.S. Patent No. 6,952,691).

As per claim 1, Google teaches a computer implemented method in a data processing system for accessing a database, the computer implemented method comprising (i.e. The Google language tool is a an on-line search engine that encompasses the data processing system for accessing a database.)(Page 1): accessing the database, wherein the database comprises a plurality of message tables (i.e. On page 1, the search page written in: <any language> clearly illustrates that a client requests a cultural context, which is selecting a language from a plurality of cultural contexts, which are many languages contained in the drop-down field. Furthermore, because the Google site is a search engine, an ordinary person skilled in the art understands that a database resides on the back-end that services the Google language tools site.)(Page 1), wherein each message table in the plurality of message tables comprises data in a particular language (i.e. Page 1 and 2 clearly teach that the Google Language site is a search engine that contains a database that contains a plurality of message tables, which are the plurality of languages listed on pages 1 and 2. Furthermore, an ordinary person skilled in the art understands that messages are contained in the plurality of message tables and are provided in the plurality of cultural context.)(Pages 1 and 2); retrieving a locale ID (i.e. *"Search pages written in: <any language>""* The preceding text clearly indicates that the locale ID, which is the value of the user selecting a language option is also the language ID.)(Page 1), wherein the locale ID is stored in a memory in the data processing system, and wherein the locale ID is defined by a user using a structured query language SET statement (i.e. *"Search pages written in: <any language>"* The preceding text clearly indicates that the locale ID, which is the value of the user selecting a language option is fixed based on the request, where once the user selects the language option, the computer system is reconfigured based on the corresponding locale.)(Page 1), and wherein the locale ID is associated with ones of the message tables in the plurality of message tables wherein the data is represented in the particular language that corresponds with the locale ID

(i.e. *"Search pages written in: <any language>"* The preceding text clearly indicates that the locale ID, which is the value of the user selecting a language option is fixed based on the request, where once the user selects the language option, the computer system is reconfigured based on the corresponding locale.)(Page 1); modifying the query by appending the locale ID to the table column ID forming a modified query; processing the modified query (Page 1 clearly indicates that the locale is the result of the client selecting pages located in <any country>, contained in the search for text field would be the targeted text message, and the query is processed when a client selects the Google Search button.)(Page 1).

Google does not explicitly teach wherein the each message table comprises at least one column identified by a table column ID; obtaining the table column ID, in response to receiving query for the data; and returning the data identified by the modified query, wherein the data does not correspond with the locale ID is not returned.

Drissi teaches wherein the each message table (i.e. keyword dictionary)(column 3, lines 63-65) comprises at least one column identified by a table column ID (The bi-directional table within the keyword dictionary contains at least one column, with a respective column ID to allow and track translations across a plurality of languages.)(column 3, lines 50-60; column 4, lines 1-10); obtaining the table column ID, in response to receiving query for the data (obtaining the table column ID is a step that would occur in steps 410-440 in Figure 4, where when a user submits queries, a response to receiving the query for the data occurs when getting search results.)(see Figure 4); and returning the data identified by the modified query (i.e. get search results)(see Figure 4, and at least column 4, lines 28-50), wherein the data does not correspond with the locale ID is not returned (i.e. "The translated words keywords for the document are stored in an inverted index, which is then used for searching, either in a selected language, a second language or in all languages, as determined by the user.")(Abstract).

It would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to modify the teachings of Google with the teachings of Drissi to include a method wherein the each message table comprises at least one column identified by a table column ID; obtaining the table column ID, in response to receiving query for the data; and returning the data identified by the modified query, wherein the data does not correspond with the locale ID is not returned with the motivation to avoid the need for translation of the entire document and avoid inaccuracies which may result from translations. (Drissi, Abstract).

As per claim 2, Google teaches a computer implemented method wherein the locale ID comprises at least one of a language, a country, and a time zone (i.e. *"Search pages written in: <any language>" "Search pages located in <any country>"* The preceding text clearly indicates that at least one language and one country is selected as a cultural context)(Page 1).

As per claim 7, Google teaches a computer implemented method wherein the retrieving step is located in one of a database engine and a command line parser (Page 1 clearly teaches that the Google Language Tool is a database engine that also contains a command line parser, which is the text field contained in the "Search for" field.)(Page 1).

As per claim 8, Google teaches a computer implemented method wherein the locale ID establishes a user environment for implementing sorting, comparing and dating functions by the database engine (i.e. *"Search pages written in: <any language>" "Search*

pages written in: <any language>" The preceding text clearly indicates that the cultural context can be a language or geographic location.)(Page 1).

As per claim 11, Google teaches a data processing system for accessing a database, the data processing system comprising (i.e. The Google language tool is an on-line search engine that encompasses the data processing system for accessing a database.)(Page 1): accessing means for accessing the database, wherein the database comprises a plurality of message tables (i.e. On page 1, the search page written in: <any language> clearly illustrates that a client requests a cultural context, which is selecting a language from a plurality of cultural contexts, which are many languages contained in the drop-down field. Furthermore, because the Google site is a search engine, an ordinary person skilled in the art understands that a database resides on the back-end that services the Google language tools site.)(Page 1), wherein each message table in the plurality of message tables comprises data in a particular language (i.e. Page 1 and 2 clearly teach that the Google Language site is a search engine that contains a database that contains a plurality of message tables, which are the plurality of languages listed on pages 1 and 2. Furthermore, an ordinary person skilled in the art understands that messages are contained in the plurality of message tables and are provided in the plurality of cultural context.)(Pages 1 and 2); retrieving means for retrieving a locale ID (i.e. *"Search pages written in: <any language>""* The preceding text clearly indicates that the locale ID, which is the value of the user selecting a language option is also the language ID.)(Page 1), wherein the locale ID is stored in a memory in the data processing system, and wherein the locale ID is defined by a user using a structured query language SET statement (i.e. *"Search pages written in: <any language>"* The preceding text clearly indicates that the locale ID, which is the value of the user selecting a language option is fixed based on the request, where once the user selects the language option, the computer system is reconfigured based

on the corresponding locale.)(Page 1), and wherein the locale ID is associated with ones of the message tables in the plurality of message tables wherein the data is represented in the particular language that corresponds with the locale ID; modifying means for modifying the query by appending the locale ID to the table column ID forming a modified query; processing means for processing the modified query (Page 1 clearly indicates that the locale is the result of the client selecting pages located in <any country>, contained in the search for text field would be the targeted text message, and the query is processed when a client selects the Google Search button.)(Page 1).

Google does not explicitly teach wherein the each message table comprises at least one column identified by a table column ID; obtaining the table column ID, in response to receiving query for the data; and returning the data identified by the modified query, wherein the data does not correspond with the locale ID is not returned.

Drissi teaches wherein the each message table (i.e. keyword dictionary)(column 3, lines 63-65) comprises at least one column identified by a table column ID (The bi-directional table within the keyword dictionary contains at least one column, with a respective column ID to allow and track translations across a plurality of languages.)(column 3, lines 50-60; column 4, lines 1-10); obtaining the table column ID, in response to receiving query for the data (obtaining the table column ID is a step that would occur in steps 410-440 in Figure 4, where when a user submits queries, a response to receiving the query for the data occurs when getting search results.)(see Figure 4); and returning the data identified by the modified query (i.e. get search results)(see Figure 4, and at least column 4, lines 28-50), wherein the data does not correspond with the locale ID is not returned (i.e. "The translated words keywords for the document are stored in an inverted index, which is then used for

searching, either in a selected language, a second language or in all languages, as determined by the user.")(Abstract).

It would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to modify the teachings of Google with the teachings of Drissi to include a method wherein the each message table comprises at least one column identified by a table column ID; obtaining the table column ID, in response to receiving query for the data; and returning the data identified by the modified query, wherein the data does not correspond with the locale ID is not returned with the motivation to avoid the need for translation of the entire document and avoid inaccuracies which may result from translations. (Drissi, Abstract).

As per claim 12, Google teaches a data processing system wherein the locale ID comprises at least one of a language, a country, and a time zone (i.e. *"Search pages written in: <any language>" "Search pages located in <any country>"* The preceding text clearly indicates that at least one language and one country is selected as a cultural context)(Page 1).

As per claim 16, Google teaches a computer readable storage medium storing executable instructions to be executed by a processor comprising (i.e. The Google language tool is an on-line search engine that encompasses the data processing system for accessing a database.)(Page 1): instructions for accessing the database, wherein the database comprises a plurality of message tables (i.e. On page 1, the search page written in: <any language> clearly illustrates that a client requests a cultural context, which is selecting a language from a plurality of cultural contexts, which are many languages contained in the drop-down field. Furthermore,

because the Google site is a search engine, an ordinary person skilled in the art understands that a database resides on the back-end that services the Google language tools site.)(Page 1), wherein each message table in the plurality of message tables comprises data in a particular language (i.e. Page 1 and 2 clearly teach that the Google Language site is a search engine that contains a database that contains a plurality of message tables, which are the plurality of languages listed on pages 1 and 2. Furthermore, an ordinary person skilled in the art understands that messages are contained in the plurality of message tables and are provided in the plurality of cultural context.)(Pages 1 and 2); instructions for retrieving a locale ID (i.e. *"Search pages written in: <any language>""* The preceding text clearly indicates that the locale ID, which is the value of the user selecting a language option is also the language ID.)(Page 1), wherein the locale ID is stored in a memory in the data processing system, and wherein the locale ID is defined by a user using a structured query language SET statement (i.e. *"Search pages written in: <any language>"* The preceding text clearly indicates that the locale ID, which is the value of the user selecting a language option is fixed based on the request, where once the user selects the language option, the computer system is reconfigured based on the corresponding locale.)(Page 1), and wherein the locale ID is associated with ones of the message tables in the plurality of message tables wherein the data is represented in the particular language that corresponds with the locale ID; instructions for modifying the query by appending the locale ID to the table column ID forming a modified query; instructions for processing the modified query (Page 1 clearly indicates that the locale is the result of the client selecting pages located in <any country>, contained in the search for text field would be the targeted text message, and the query is processed when a client selects the Google Search button.)(Page 1).

Google does not explicitly teach wherein the each message table comprises at least one column identified by a table column ID; obtaining the table column ID, in

response to receiving query for the data; and returning the data identified by the modified query, wherein the data does not correspond with the locale ID is not returned.

Drissi teaches wherein the each message table (i.e. keyword dictionary)(column 3, lines 63-65) comprises at least one column identified by a table column ID (The bi-directional table within the keyword dictionary contains at least one column, with a respective column ID to allow and track translations across a plurality of languages.)(column 3, lines 50-60; column 4, lines 1-10); obtaining the table column ID, in response to receiving query for the data (obtaining the table column ID is a step that would occur in steps 410-440 in Figure 4, where when a user submits queries, a response to receiving the query for the data occurs when getting search results.)(see Figure 4); and returning the data identified by the modified query (i.e. get search results)(see Figure 4, and at least column 4, lines 28-50), wherein the data does not correspond with the locale ID is not returned (i.e. "The translated words keywords for the document are stored in an inverted index, which is then used for searching, either in a selected language, a second language or in all languages, as determined by the user.")(Abstract).

It would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to modify the teachings of Google with the teachings of Drissi to include a method wherein the each message table comprises at least one column identified by a table column ID; obtaining the table column ID, in response to receiving query for the data; and returning the data identified by the modified query, wherein the data does not correspond with the locale ID is not returned with the motivation to avoid the need for translation of the entire document and avoid inaccuracies which may result from translations. (Drissi, Abstract).

As per claim 19, Google teaches a data processing system comprising (i.e. The Google language tool is an on-line search engine that encompasses the data processing system for accessing a database.)(Page 1): a bus system; a memory connected to the bus system, wherein the memory includes a set of instructions; and a processing unit connected to the bus system, wherein the processing unit executes the set of instructions to accessing the database, wherein the database comprises a plurality of message tables (i.e. On page 1, the search page written in: <any language> clearly illustrates that a client requests a cultural context, which is selecting a language from a plurality of cultural contexts, which are many languages contained in the drop-down field. Furthermore, because the Google site is a search engine, an ordinary person skilled in the art understands that a database resides on the back-end that services the Google language tools site.)(Page 1), wherein each message table in the plurality of message tables comprises data in a particular language (i.e. Page 1 and 2 clearly teach that the Google Language site is a search engine that contains a database that contains a plurality of message tables, which are the plurality of languages listed on pages 1 and 2. Furthermore, an ordinary person skilled in the art understands that messages are contained in the plurality of message tables and are provided in the plurality of cultural context.)(Pages 1 and 2); retrieving a locale ID (i.e. *"Search pages written in: <any language>""* The preceding text clearly indicates that the locale ID, which is the value of the user selecting a language option is also the language ID.)(Page 1), wherein the locale ID is stored in a memory in the data processing system, and wherein the locale ID is defined by a user using a structured query language SET statement (i.e. *"Search pages written in: <any language>"* The preceding text clearly indicates that the locale ID, which is the value of the user selecting a language option is fixed based on the request, where once the user selects the language option, the computer system is reconfigured based on the corresponding locale.)(Page 1), and wherein the locale ID is associated with ones of the message tables in the plurality of message

tables wherein the data is represented in the particular language that corresponds with the locale ID; modifying the query by appending the locale ID to the table column ID forming a modified query; processing the modified query (Page 1 clearly indicates that the locale is the result of the client selecting pages located in <any country>, contained in the search for text field would be the targeted text message, and the query is processed when a client selects the Google Search button.)(Page 1).

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It would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to modify the teachings of Google with the teachings of Drissi to include a method wherein the each message table comprises at least one column identified by a table column ID; obtaining the table column ID, in response to receiving query for the data; and returning the data identified by the modified query, wherein the data does not correspond with the locale ID is not returned with the motivation to avoid the need for translation of the entire document and avoid inaccuracies which may result from translations. (Drissi, Abstract).

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Farhan M. Syed whose telephone number is 571-272-7191. The examiner can normally be reached on 8:30AM-5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christian Chace can be reached on 571-272-4190. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/F. M. S./
Examiner, Art Unit 2165

/Christian P. Chace/

Supervisory Patent Examiner, Art Unit 2165